

## Article - Health - General

§24–306.

- (a) (1) In this section the following words have the meanings indicated.
  - (2) “Child care product” means a consumer product intended for use by a child under the age of 3 years, including a baby product, toy, car seat, nursing pillow, crib mattress, and stroller.
  - (3) “TCEP” means (tris (2–chloroethyl) phosphate).
  - (4) “TDCPP” means (tris (1, 3–dichloro–2–propyl) phosphate).
- (b) This section does not apply to the sale or distribution of a child care product that is resold, offered for resale, or distributed by a consumer for consumer use.
- (c) A person may not import, sell, or offer for sale any child care product that:
  - (1) Contains more than one–tenth of 1% of TCEP or TDCPP by mass; and
  - (2) Is intended for use by a child under the age of 3 years.
- (d) (1) A person that violates this section is subject to:
  - (i) For a first violation, a civil penalty not exceeding \$1,000; and
  - (ii) For any subsequent violation, a civil penalty not exceeding \$2,500 for each violation.
- (2) In addition to the civil penalties provided in paragraph (1) of this subsection, a court may enjoin an action prohibited by this section.
- (e) The Secretary may suspend implementation of subsection (c) of this section if the Secretary determines that the fire safety benefits of TCEP or TDCPP are greater than the health risks associated with TCEP or TDCPP.
- (f) On or before January 1, 2015, the Department shall adopt regulations to carry out this section.